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SUBJECT: ZAMBIA POLITICAL UPDATE

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1. SUMMARY

- Government Passes Anti-Corruption Policy
- Government Secures Senior Convictions
- Chiluba Ruling Set for July 20
- Namugala Dissolves Wildlife and Tourism Boards
- Tribunal Finds Siliya Guilty, Sort Of

Government Passes Anti-Corruption Policy

12. (U) After more than three years of deliberation, the Zambian Cabinet approved a diluted national anti-corruption policy, which identifies the Anti-Corruption Commission (ACC) as the lead anti-corruption agency, calls for enhanced national coordination between law enforcement agencies, recommends improved anti-corruption legislation (including asset forfeiture, asset disclosure, and whistleblower protection laws), and requires the domestication of international protocols on corruption. Some expect the long-overdue policy to improve the operational effectiveness of the ACC, an institution that had previously been criticized for its lack of independence and efficiency. Western diplomats are dubious, as the policy was approved without the implementation strategy that had accompanied previous drafts.

Government Secures Senior Convictions

13. (SBU) Zambian courts found former Lands Minister Gladys Nyirongo guilty on two counts of corruption. Nyirongo, who was sentenced to four years imprisonment for illegally allocating land to herself and friends, has appealed the case to the High Court. During the first quarter of 2009, the ACC secured six other convictions, including Air Force Commander Emmanuel Singogo. The cases mark an important achievement for the ACC, which has been constrained by inadequate resources.

14. (SBU) During this same period, the Zambian Government (GRZ) made other notable progress through the Task Force on Corruption (TFC), an ad hoc body that former President Mwanawasa established to prosecute high-level corruption during 1991-2001. The TFC convicted former First Lady Regina Chiluba, former Army Commander Geojago Musengule, former Air Force Commander Sande Kayumba, former Air Force Chief of Logistics Andrew Nyirongo, and businessman Amon Sibande. Although these cases represent important milestones in the government's anti-corruption campaign, all of the convicted are currently free on bail, having appealed their cases to the High Court. Their easily-obtained appeals may drag on for years, delaying further what has already been a lengthy litigation process, and providing little deterrence to other would-be offenders.

Chiluba Ruling Set for July 20

15. (SBU) Magistrate Jones Chinyama announced that he will issue his ruling on the criminal case against former President Chiluba on July 120. Chiluba, along with two Zambian businessmen, Faustin Kabwe and

Aaron Chungu, faces six charges of theft of public resources and abuse of office in a case concerning approximately USD 500,000. The case has run in parallel to a civil case that was tried in UK courts and which concluded in May 2007 with a finding that Chiluba and others were liable for approximately USD 41 million. The former President, who has delayed the registration of the UK civil case and whose legal antics have drawn out this case over almost seven years, is likely to appeal the case to the High Court.

Namugala Dissolves Wildlife and Tourism Boards

¶6. (SBU) Tourism, Environment, and Natural Resources Minister Catherine Namugala dissolved the Zambia Wildlife Authority (ZAWA) Board and the Zambia Tourism Board (ZTB) following the government's decision to streamline the two institutions in order to "reorganize the tourism sector." The Ministry's Permanent Secretary will carry out the functions of the two boards until new boards are appointed. Government officials have not provided a timeframe for the appointment of the replacement boards, nor an explanation as to how the move will help streamline government activity. Former ZTB Board Chair Errol Hickey, in a radio interview, said that the Ministry had not consulted with him and that he had learned of the board's dissolution through media reports.

Tribunal Finds Siliya Guilty, Sort of

¶7. (SBU) A tribunal to probe alleged corrupt activities of Communications and Transport Minister Dora Siliya concluded its proceedings and issued its findings. Supreme Court Justice Dennis Chirwa, in a 108-page report, cleared Siliya on two of the three allegations, but found her in breach of a specific procurement procedure and in violation of Zambian law and the constitution on the third. Justice Chirwa submitted the findings for action to President Banda, who has said the situation is "complicated." Former Transport Minister William Harrington and the ten civil

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society organizations that launched the tribunal issued a press statement calling for Siliya's dismissal. They also called for the dismissal of the Vice President for his role in defending Siliya.

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